

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 19-CR-214

JOSHUA TAYLOR,

Defendant.

ORDER DENYING MOTION TO LIFT DETAINER

Defendant Joshua Taylor pled guilty to conspiracy, in violation of 18 U.S.C. § 371, in which he and a co-defendant rolled back odometers of high mileage vehicles in order to sell them on Craigslist at an inflated price. On July 15, 2020, Taylor was sentenced to 18 months in the custody of the Bureau of Prisons. Taylor's federal sentence was ordered to run concurrent with any state sentence. As a result of the federal sentence, the United States Marshal placed a federal detainer upon Taylor at the Wisconsin correctional facility where he was then serving a state sentence. A detainer is a request that when the subject is to be released from custody, the Marshal is notified so that the defendant can be taken into custody and begin serving the federal sentence previously imposed. On April 23, 2021, Taylor filed a motion to lift the federal detainer, stating that he is slated for release from his state sentence in February 2025, and the federal detainer is keeping him at a medium security facility. If this Court would lift the federal detainer, he suggests he would be eligible for work release privileges.

The federal detainer was placed on Taylor by the United States Marshal, not the Court, as a direct result of the sentence imposed by the Court. The Court has no authority to lift the detainer. If the Wisconsin Department of Corrections (WDOC) denies state prisoners who are under a federal detainer from work release, that is a matter between the defendant and the WDOC. The

Court has no authority to direct the WDOC to change its policy. Taylor's motion is therefore denied.

SO ORDERED at Green Bay, Wisconsin this 28th day of April, 2021.

s/ William C. Griesbach
William C. Griesbach
United States District Judge